



MINUTES OF THE CITY COUNCIL AND THE COUNCIL SITTING AS THE REDEVELOPMENT AGENCY

WEDNESDAY, MARCH 24, 2004

The regular meeting of the City Council, also sitting as the Redevelopment Agency, was called to order by Mayor/Chairman Stettler in the Council Chambers at 68-700 Avenida Lalo Guerrero, Cathedral City, California, on March 24, 2004 at 3:05 p.m.

ROLL CALL:

Present: Council Member/RDA Board Member DeRosa, England, Marchand
Mayor Pro Tem/RDA Board Member Pettis
Mayor/RDA Chairman Stettler.

The Regular Meeting began at 6:35 p.m. and was opened by Mayor/Chairman Stettler. Mayor Pro Tem/RDA Board Member Pettis led the invocation, followed by The Flag Salute led by Council Member/RDA Board Member England.

CLOSED SESSION AGENDA:

1. THREAT TO PUBLIC SERVICES OR FACILITIES pursuant to Government Code Section 54957: Consultation with Police Chief
2. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6
Agency Negotiator: Donald Bradley, City Manager
Represented Employees: 1) Cathedral City Firefighters Association (CCFFA); 2) Cathedral City Police Officers' Association (CCPOA); and 3) Cathedral City Public Safety Management Association (CCPSMA);
3. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):
Case Name: Glenn Haas, Jeff Miller, Brian Hirzel and Cathedral City Police Officers Association vs. Cathedral City; Cathedral City Police Department; Stan Henry, Chief of Police; John Holcomb, Captain; Gregory J. Savelli, Lieutenant; Sandra Hatfield, Dispatch Supervisor, et al.
Case No.: United States District Court, Central District of California
Case No. EDCV 02-965

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4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Paul Shillcock**)
Property Location: South of East Palm Canyon Plaza, West of the Perez Road extension, East of Canyon Plaza.
APN# 687-030-010 and 074
Negotiating Parties: Redevelopment Agency, Cathedral City Properties, LLC and O'Brien Hyundai
Property Owner: Desert Hills Mobile Home Park
Under Negotiation: Disposition of property
5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Paul Shillcock**)
Property Location: 68307 East Palm Canyon Drive-Heilig Meyers Building
Negotiating Parties: Redevelopment Agency and Desert Hockey Association
Property Owner: Redevelopment Agency
Under Negotiation: Disposition of property
6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Warren Bradshaw**)
Property Location: 68-640 F Street and 68-860 Cedar Road
APN#s 680-401-010 (**68-860 Cedar Road**) or 680-484-003 (**33817 Rancho Vista Drive**)
Negotiating Parties: Redevelopment Agency and Guadalupe Gutierrez
Property Owners: Guadalupe Gutierrez (**F Street**), Redevelopment Agency (**Cedar Road**)
Under Negotiation: Property acquisition & trade agreement
7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Warren Bradshaw**)
Property Location: 68-697 and 68-699 B Street
APN#s 687-214-009 (**68-697 C Street**) and 687-214-002 (**68-699 B Street**)
Negotiating Parties: Redevelopment Agency and Building Horizons, Inc.
Property Owners: Redevelopment Agency
Under Negotiation: Property disposition
8. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Don Bradley**)
Property Location: Vacant land (5 acres), East of the Rio Vista area
APN# 660-360-012
Negotiating Parties: City of Cathedral City and Desert Healthcare District
Property Owner: Desert Healthcare District
Under Negotiation: Property acquisition

CLOSED SESSION ANNOUNCEMENTS

Deputy City Attorney Green advised there were no announcements out of Closed Session, however, the City Council would be returning to Closed Session to complete the agenda immediately following this meeting.

PUBLIC COMMENTS

Bill Cohen – Cathedral City. Mr. Cohen made a strong plea for more people to join the COPS and he still has T-shirts for sale. The money raised helps the COPS Program.

Barbara Mortenson – Cathedral City. Ms. Mortenson lives in the Panorama Neighborhood, and is generally unhappy with the Cities actions with regard to stopping watering of the Parks. She feels the Council made the mess and now she wants the Council to solve the problems, and feels the Council represents the whole city and we shouldn't be broken into little districts; i.e. Assessments Districts and Lighting and Landscape Districts.

Daniel Coover – Cathedral City Senior Center Outreach Director. Mr. Coover wanted to tell us about a number of events for the Senior Center, a Spaghetti Dinner, a Cynco de Mayo celebration, a Fashion Show. They are looking forward to participating in the ground breaking ceremony with Mercy Housing for the new Senior Center. He thanked Mayor Pro Tem Pettis for the Birthday certificates and told him how special they are to the Seniors.

Sharon Stevens – Cathedral City. Ms. Stevens is unhappy with her dealings with the CC Police Department and thinks they are taking away her civil and constitutional rights. She questioned who manages the Police Department – Stan Henry or Judy Williams. She advised that she had complained to the FBI. She has had a potential break in that the police handled as an incident rather than a report. She is threatening a Civil Rights suite.

Michael Abbey – CEO Paradine Pacific, announced that they had just purchased the Cimmaron Golf Course out of bankruptcy.

Robert Marchand – Cathedral City. Mr. Marchand is Chair of the CC Public Arts Commission. Last Thursday they had their first Concert of Chamber Music in the Council Chambers and everyone is asking when they will have the next one. It was beautiful, the acoustics were great, and he wanted to thank the City for the use of the Chambers and especially thank Julie Baumer, Lynn **Mallato**, Chief Henry for all their help. His special thanks to Canyon Classic Ensemble for their donation of a free evening of music.

AGENDA FINALIZATION

Mayor Stettler announced that Public Hearing Item 5 would be continued to April 14th, and that Public Hearing Item 6 will be continued to a date uncertain.

COUNCIL COMMENTS

Council Member Marchand had been fortunate to attend the concert in the Council Chambers along with 75 to 80 others. It was a wonderful demonstration of how this City Hall can come together with the public and enjoy an evening.

Chief Sowles announced that the COPS had received a \$500 donation from the Date Palm Country Club.

Council Member DeRosa mentioned the Senior Center and their fund raising activities and complemented Dan Coover their new outreach person. She reminded the audience about the meeting with Parks and Recreation Commission to discuss the Panorama Neighborhood. She had the opportunity to attend the Nellie Coffman Middle School when they did their annual mock "National Election". It is a great exercise in Government and was very successful.

Fire Chief Steve Sowles showed a promotional tape that is going to be aired about the upcoming Mini Golf Tournament, an annual event of the fire fighters that raises money for children's organizations.

Council Member Marchand advised that he intended to ask that tonight's meeting be adjourned in memory and the U.S. and Coalition forces who had given their lives in service to their Country since the last adjournment and for Robert Leamen, from Seattle.

MINUTES

Council Member/RDA Board Member Marchand moved approval of the Minutes of the regularly scheduled City Council/RDA Board meeting held on Wednesday March 10th, 2004. Motion seconded by Council Member/RDA Board Member England, motion carried 5-0.

SCHOOL REPORTS

Martin Silva and Vivian Enriquez, Student Representatives from CC High School were both in attendance this evening. This year is so busy for the students, it is just flying by, especially for the Seniors. Martin keeps working with the Key Club, AVID, and trash pick up on the Highway. The seniors are involved in the Marching Band Trials and Avid is going to Venice Beach and Chinatown. Many students continue to receive college acceptance notification and many are working on funding assistance. Vivian told of a

planned trip to Magic Mountain for the Link leaders on April 26th and also a upcoming pep rally. The swim team finally won a meet and the Seniors will be going on a Senior Trip to Washington, D.C. on spring break and they will be returning to the Valley on April 9th.

PRESENTATIONS AND PROCLAMATIONS

Mayor Stettler presented a Proclamation declaring the week of April 18th through April 25th, as "Yom Hashoah Week", or Week of Remembrance in Cathedral City in honor of the Holocaust victims to a representative of Ohav Shalom Messianic Congregation.

CONSENT AGENDA

Mayor Pro Tem/RDA Boar Member Pettis, moved approval of the Consent Agenda, motion seconded by Council Member/RDA Board Member DeRosa, motion carried 5-0, with the exception of Item 3, which carried 4-1 with Council Member Marchand voting in the negative.

1. Received and filed demands in the aggregate amount of \$4,883,814 **by Minute Order #3674 and Minute Order R-984.**
2. Approved an extension of time for tentative tract No. 29742 (PUD 01-09), gated residential community of 174 lots) under the provisions of the Cathedral City Municipal Code and the State Subdivision Map Act **by Resolution No. 2004-14.**
3. Amend Cathedral City Municipal Code Chapter 5.80 title "Sale and Discharge of Safe and Sane Fireworks" to increase the number of annual permits by two and by designating two additional local organizations within those grandfathered for annual permits **by Ordinance No. 584.**
4. Adopted resolution of the City Council for the City of Cathedral City authorizing the reimbursement of funds from the Fire Flow Improvement Fund and the Street Bond Improvement Fund to the General Fund to repay the Desert Water Agency loan **by Resolution No. 2004-15.**

PUBLIC HEARINGS

5. Municipal code amendment 03-02: a request to adopt an inclusionary housing ordinance establishing procedures and requirements for the provision of affordable housing. This item was continued to April 14th **by Minute Order #3675.**

LEGISLATIVE ACTION(S)

6. Execution of energy savings performance contract with Honeywell International for Implementation of the Downtown energy savings program. This item Continued to a date uncertain **by Minute Order #3676**
7. Proposed joint powers authority (JPA) for Coachella Valley Association of Governments (CVAG) first time home buyers down payment assistance program.

There was a brief report by Housing Manager Warren Bradshaw. He then introduced John Wohlmuth, Executive director of the Coachella Valley Association of Governments. Mr. Wohlmuth told of the 2.3 million dollar commitment from Banks for first time buyers down payment assistance program. He then answered a number of questions explaining that there is no inherent risks to the Cities participating in the program.

Mayor Stettler opened the floor to Public Comments.

Bill Proctor – Cathedral City. Mr. Proctor asked if this money was available for and home in the Valley and how long would one have to be in the house before it can be sold? Mr. Wohlmuth replied that the home could be purchased anywhere in the valley and there was no minimum time before the home could be sold. Since this program was for first time buyers, someone could not use it more than once.

Council received further clarification that the median income would be \$60,000 for a family of four and the program might allow for a purchase of a home in the \$180,000 to the \$250,000 range. Council Member DeRosa suggested that they might delay this item until the next Council Meeting, so that they could study the additional report that Mr. Wohlmuth brought this evening.

Mayor Stettler, seeing no one else wishing to speak, closed Public Comments.

Council Member moved that this item be postponed till the next Council Meeting, motion died for a lack of a second. Mayor Pro Tem moved approval of this program, motion seconded by Council Member Marchand, motion carried 4-1 **by Minute Order #3677**. Council Member DeRosa voted in the negative.

8. Proposed ordinance of the City Council for the City of Cathedral City regarding increase City Manager's spending authority and amending Chapter 2.12.270 "Exceptions to Competitive Bidding Requirement" of the Cathedral City Municipal Code. There was a brief report by Deputy City Attorney Charles Green.

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Public Comments were opened and closed without comment.

Council Member Marchand moved to waive further reading and introduce the Ordinance, motion seconded by Council Member England, motion carried 5-0
By Minute Order # 3678.

9. Proposed ordinance of the City Council for the City of Cathedral City, amending the Cathedral City Municipal Code to regulate the use of City, Police Department and Fire Department insignias.

There was a brief report by Deputy City Attorney Green.

Public Comments were opened and closed without comment.

Council Member Marchand moved to waive further reading and introduce the the Ordinance, motion seconded by Council Member England, motion carried 5-0
by Minute Order 3679.

COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS.

ADJOURNMENT

Council Adjourned to Closed Session at 8:10 p.m.to finish the Closed Session Agenda.

Deputy City Attorney Green advised that Council returned to the Regular Meeting at 10:26 p.m. There were no reportable items out of closed session.

Hearing no other business to come before the Council, Mayor Stettler adjourned the meeting at 10:28 p.m., in memory of the U.S. and Coalition forces who had given their lives in service to their Country since the last adjournment and for Robert Leamen,from Seattle.

Pat Hammers, City Clerk